

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

M&S ADVISORY GROUP, INC.,	:	No. 1:02-CV-00522
Plaintiff,	:	
vs.	:	<u>SCHEDULING ORDER</u>
EYEMART EXPRESS, LTD.,	:	
Defendant.	:	

On September 17, 2003, the Court held a status conference in the instant case. At this conference, the parties discussed the effect that the Defendant's amended counterclaim (doc. 26) would have on the current schedule established by this Court's earlier Preliminary Pretrial Order (doc. 17). Based upon these discussions, the Preliminary Pretrial Order (doc. 17) is VACATED, and this matter will proceed to trial as follows:

- (A) Any dispositive motions will be filed by March 1, 2004. Motions must be filed by this date, and any motions filed after this date may be subject to a motion to strike. Parties are referred to Local Rule 7.2, which restricts letters to the Court. Correspondence with the Court should be by motion, except as expressly permitted by the Rule.
- (B) Discovery will be completed by February 1, 2004. All matters relating to discovery will be referred to the United States Magistrate Judge to whom the case has been assigned.
- (C) A final pretrial conference has been tentatively scheduled for June 30, 2004, at 9:00 A.M.
- (D) Trial has been tentatively scheduled for September 7, 2004, on an on-deck basis. On-deck trials will be released late Thursday afternoon the week before the scheduled trial date.
- (E) This is expected to be a four-day jury trial.

(F) A settlement conference is tentatively scheduled for February 24, 2004 at 10:00 A.M. Persons with settlement authority must be available, either in person or by telephone.

SO ORDERED.

Date: September 23, 2003

/s/ S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge